



PTO/SB/26 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

101337-0015

In re Application of: **Gerald C. Monagan**Application No.: **10/022,962-Conf. #4619**Filed: **December 13, 2001**For: **AIR PURIFIER**

The owner*, **Gerald C. Monagan**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. **6,613,277**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

03/15/2004 HVUONE1 00000135 10022962

01 FC:2814

55.00 OP

Signature

March 10, 2004

Date

Thomas J. Engellenner

Typed or printed name

(617) 439-2948

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Terminal Disclaimer

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 10, 2004

Signature:

(Thomas J. Engellenner)



Image

1744\$

PTO/SB/17 (10-03)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 55.00

Complete if Known

| | |
|----------------------|------------------------|
| Application Number | 10/022,962-Conf. #4619 |
| Filing Date | December 13, 2001 |
| First Named Inventor | Gerald C. Monagan |
| Examiner Name | Sean E. Conley |
| Art Unit | 1744 |
| Attorney Docket No. | 101337-0015 |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

Deposit Account:

Deposit Account Number 141449

Deposit Account Name Nutter McClennen & Fish LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|------------------------|----------|
| | | 1001 | 770 | 2001 | 385 | Utility filing fee | |
| | | 1002 | 340 | 2002 | 170 | Design filing fee | |
| | | 1003 | 530 | 2003 | 265 | Plant filing fee | |
| | | 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| | | 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims ** = Extra Claims Fee from below Fee Paid
Independent Claims ** = Extra Claims Fee from below Fee Paid
Multiple Dependent Fee Paid

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|--------------|--------------|----------|----------|----------|----------|--|
| 1202 | 2202 | 18 | 9 | | | Claims in excess of 20 |
| 1201 | 2201 | 86 | 43 | | | Independent claims in excess of 3 |
| 1203 | 2203 | 290 | 145 | | | Multiple dependent claim, if not paid |
| 1204 | 2204 | 86 | 43 | | | ** Reissue independent claims over original patent |
| 1205 | 2205 | 18 | 9 | | | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|---------------------|--------------|----------|----------|----------|----------|--|----------|
| 1051 | 2051 | 130 | 65 | | | Surcharge - late filing fee or oath | |
| 1052 | 2052 | 50 | 25 | | | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 1053 | 130 | 130 | | | Non-English specification | |
| 1812 | 1812 | 2,520 | 2,520 | | | For filing a request for ex parte reexamination | |
| 1804 | 1804 | 920* | 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1805 | 1,840* | 1,840* | | | Requesting publication of SIR after Examiner action | |
| 1251 | 2251 | 110 | 55 | | | Extension for reply within first month | |
| 1252 | 2252 | 420 | 210 | | | Extension for reply within second month | |
| 1253 | 2253 | 950 | 475 | | | Extension for reply within third month | |
| 1254 | 2254 | 1,480 | 740 | | | Extension for reply within fourth month | |
| 1255 | 2255 | 2,010 | 1,005 | | | Extension for reply within fifth month | |
| 1401 | 2401 | 330 | 165 | | | Notice of Appeal | |
| 1402 | 2402 | 330 | 165 | | | Filing a brief in support of an appeal | |
| 1403 | 2403 | 290 | 145 | | | Request for oral hearing | |
| 1451 | 1451 | 1,510 | 1,510 | | | Petition to institute a public use proceeding | |
| 1452 | 2452 | 110 | 55 | | | Petition to revive - unavoidable | |
| 1453 | 2453 | 1,330 | 665 | | | Petition to revive - unintentional | |
| 1501 | 2501 | 1,330 | 665 | | | Utility issue fee (or reissue) | |
| 1502 | 2502 | 480 | 240 | | | Design issue fee | |
| 1503 | 2503 | 640 | 320 | | | Plant issue fee | |
| 1460 | 1460 | 130 | 130 | | | Petitions to the Commissioner | |
| 1807 | 1807 | 50 | 50 | | | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 1806 | 180 | 180 | | | Submission of Information Disclosure Stmt | |
| 8021 | 8021 | 40 | 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 | 2809 | 770 | 385 | | | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 2810 | 770 | 385 | | | For each additional invention to be examined (37CFR 1.129(b)) | |
| 1801 | 2801 | 770 | 385 | | | Request for Continued Examination (RCE) | |
| 1802 | 1802 | 900 | 900 | | | Request for expedited examination of a design application | |
| Other fee (specify) | 2814 | | | | | Statutory Disclaimer | 55.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55.00

SUBMITTED BY

Name (Print/Type) Thomas J. Engellennner

Registration No. (Attorney/Agent)

28,711

(Complete if applicable)

Telephone (617) 439-2948

Signature

Date

March 10, 2004

Fee Transmittal

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